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Transcript Exhibit(s)

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AZ CORP COMMISSION
DOCKET CONTROL

Docket #(s): RR-03639A-16-0075

Arizona Corporation Commission

DOCKETED

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Exhibit #: 3-1

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STAFF MEMORANDUM

To: THE COMMISSION

From: Robert Marvin
Director
Safety Division

Date: April 20, 2016

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AZ CORP COMMISSION
DOCKET CONTROL

RE: IN THE MATTER OF THE APPLICATION OF THE ARIZONA DEPARTMENT OF TRANSPORTATION TO UPGRADE AN EXISTING CROSSING OF THE UNION PACIFIC RAILROAD AT COURT STREET IN THE CITY OF NOGALES, SANTA CRUZ COUNTY, ARIZONA, USDOT NO. 742-041-D.

DOCKET NO. RR-03639A-16-0075

Background

On March 2, 2016, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") an application for approval for the Union Pacific Railroad ("Railroad") to upgrade an existing crossing at Court Street in the City of Nogales ("City"), Santa Cruz County, Arizona at USDOT No. 742-041-D.

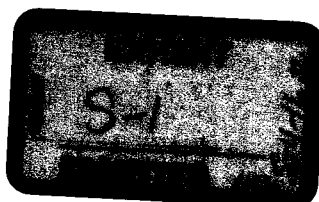
The Safety Division's Railroad Safety Section, ("Staff"), ADOT, the City and the Railroad participated in several diagnostic review meetings of the proposed improvements to this crossing. All parties present were in agreement to the proposed improvements at the crossing. The following is a breakdown of the crossing in this application, including information about the crossing that was provided to Staff by ADOT.

Federal Highway Administration ("FHWA") Section 130

This project is federally funded pursuant to 23 U.S.C. § 130 ("Section 130"). The purpose of Section 130 is to comply with legislation seeking to eliminate hazards to pedestrians and highway vehicles at public railway-highway crossings. Only crossings which are located on public roads, and which are not primarily for the benefit of the railroad, are eligible for Section 130 funding. In order to be eligible for Section 130 funding, a crossing must be designated on the Commission's Annual Crossing Array as being a priority to receive safety upgrades. Arizona Revised Statute § 40-337.03 states that:

[T]he commission shall submit to the railroad involved and the city, county and department of transportation in which jurisdiction a public railroad grade crossing is located, an array of such crossings where the installation of automatic warning signals or devices should be considered during the year, or within a reasonable time thereafter depending upon the availability of monies, materials, labor and other factors involved in such installation.

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This project was approved for Section 130 funding as part of the 2016 Commission Annual Array approved by Decision No. 75489, dated March 10, 2016. After designation on the Annual Array, FHWA issues authorizations for design and construction of each project, reimburses ADOT for the cost and conducts a final inspection of each project. The Railroad will invoice ADOT for 100% of the cost of the project.

Court Street

Court Street is used for two-way traffic, consisting of one thru westbound lane, one thru eastbound lane, and an eastbound left turn lane. Currently, this crossing consists of two mainline tracks with daily usage. It is equipped with flashing lights, bells and automatic gates on the outside edge of the curb.

The proposed project consists of upgrading one automatic gate with a LED flashing light unit, and relocating and reusing the other existing gate/flashing light unit. The proposed measures are consistent with safety measures employed at similar at-grade crossings in the State. The Railroad will maintain the warning devices and crossing surface after the upgrades are completed. The City will maintain road approaches, signage and striping outside of the Railroad's responsibility. The total cost for the project is \$122,160.

Traffic data for Court Street was provided to ADOT by the City. Per the City, in 2013, there were 4,015 vehicles per day ("vpd") at this crossing. No Level of Service ("LOS") was given for this crossing.

The American Association of State Highway and Transportation Officials ("AASHTO") Geometric Design of Highways and Streets, 2004, states that the Level of Service characterizes the operating conditions on a facility in terms of traffic performance measures related to speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. This is a measure of roadway congestion ranging from LOS A--least congested--to LOS F--most congested. LOS is one of the most common terms used to describe how "good" or how "bad" traffic is projected to be.

The posted speed limit on Court Street is 25 mph. Staff records, as well as the Federal Railroad Administration's ("FRA") accident/incident records indicate 2 accidents at this crossing. The first occurred on July 1, 1983, when the driver of the vehicle stopped on the tracks and was struck by the train. There were no injuries. The second incident occurred on May 2, 1985 when the driver did not stop and was struck by the train. There were no injuries. In both incidents the warning devices were reported to be working as intended.

Alternative routes from this crossing are: Park Street is an at grade crossing.2 miles to the south. Morley Road is .6 miles to the north and is an at-grade crossing.

Train Data

Data provided by ADOT, using the FRA website, indicates train movements through this crossing are as follows:

Train Count: 4 trains per day

Maximum Train Speed: 10 mph

Thru Freight/Switching Moves: there are no switching movements through this crossing

Schools and Bus Routes

The following are schools near this crossing:

- Wade Carpenter Middle School 595 W. Kino Street Nogales
- Lourdes Catholic School 555 E. Patagonia Hwy. Nogales

Per the Santa Cruz Valley Unified School District, Santa Cruz Valley Union High School District and Nogales Unified District, there are 2 school bus crossings per day.

Hospitals

ADOT gave the following response about hospitals and emergency services vehicles:

Carondelet Holy Cross Hospital, 1171 W. Target Range Rd. Nogales. Court Street is not a major emergency services route.

Hazardous Materials

ADOT gave the following response when asked about vehicles transporting hazardous materials through this crossing:

The City of Nogales states that it's not aware of any vehicles carrying hazardous materials utilizing this crossing.

Zoning

Staff requested information from ADOT regarding the type of zoning in adjacent areas from this crossing. The following was the response given:

According to the City of Nogales' current Zoning map, the areas around the crossing are zoned Light Industrial, Limited Commercial and General Commercial.

FHWA Guidelines Regarding Grade Separation

The FHWA Railroad-Highway Grade Crossing Handbook (Revised Second Edition August 2007) provides nine criteria for determining whether highway-rail crossings should be considered for grade separation or otherwise eliminated across the railroad right of way. The Crossing Handbook indicates that grade separation or crossing elimination should be considered whenever one or more of the nine conditions are met. The nine criteria are applied to this crossing application as follows:

		Court Street
The highway is a part of the designated Interstate Highway System	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
The highway is otherwise designed to have full controlled access	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
The posted highway speed equals or exceeds 70 mph	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
AADT exceeds 100,000 in urban areas or 50,000 in rural areas	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
Maximum authorized train speed exceeds 110 mph	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
An average of 150 or more trains per day or 300 million gross tons/year	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
Crossing exposure (trains/day x AADT) exceeds 1M in urban or 250k in rural; or passenger train crossing exposure exceeds 800k in urban or 200k in rural	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
Expected accident frequency for active devices with gates, as calculated by the US DOT Accident Prediction Formula including five-year accident history, exceeds 0.5	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
Vehicle delay exceeds 40 vehicle hours per day	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No

Grade Separation

ADOT gave the following response about grade separation:

Grade separation was not considered by ADOT as part of this Section 130 safety upgrade because the crossing does not meet any of the criteria outlined in the FHWA-Grade Separation Guidelines. Cost estimates for grade separating this location would be in the \$30,000,000 range, due to the urbanized location.

Vehicular Delays at Crossings

ADOT gave the following answer when asked about delays at the crossing:

The City of Nogales has no information or complaints regarding delays, however the delay at the crossing is really a function of the average length of the train and the average speed

that it is traveling. For example that a 7,000 foot train traveling 30 miles per hour would cause a traffic delay of approximately 3.5 minutes.

Another commonly used measure outlined in the FHWA Guidelines; is the so-called Crossing Exposure Index (which is simply the product of the number of trains per day multiplied by the number of vehicles crossing daily) is not currently met at this crossing. The current crossing exposure is 16,060 at Court Street, far below the 1,000,000 threshold for urban areas. It should be noted that the criteria identified in the FHWA material are not mandates, but guidelines established by the FHWA, which serve to alert those having jurisdiction that potential problems may arise.

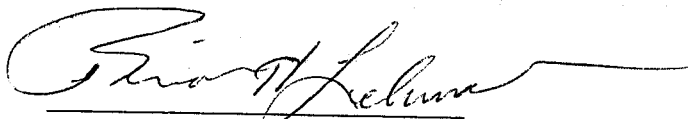
Staff has utilized the FHWA Guidelines to determine the potential need for grade separation at this crossing. Based on existing conditions, Court Street meets none of the nine criteria for consideration of grade separation. Therefore, Staff does not recommend a grade separation at the crossing.

Crossing Closure

The City has indicated they would not like to close this crossing due to the negative impacts to businesses in close proximity of the crossing. Staff agrees that local businesses would suffer from the lack of direct access.

Staff Conclusions

Having reviewed all applicable data, Staff supports ADOT's application. Staff believes that the upgrades are in the public's interest and are reasonable. Staff believes that the measures proposed by ADOT are consistent with other similar at-grade crossings in the State and will provide for the public's safety. Therefore, Staff recommends approval of ADOT's application.



Brian H. Lehman
Railroad Safety Supervisor
Safety Division

Originator: BHL

Original and thirteen (13) copies
of the foregoing were filed this
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Docket No. RR-03639A-16-0075

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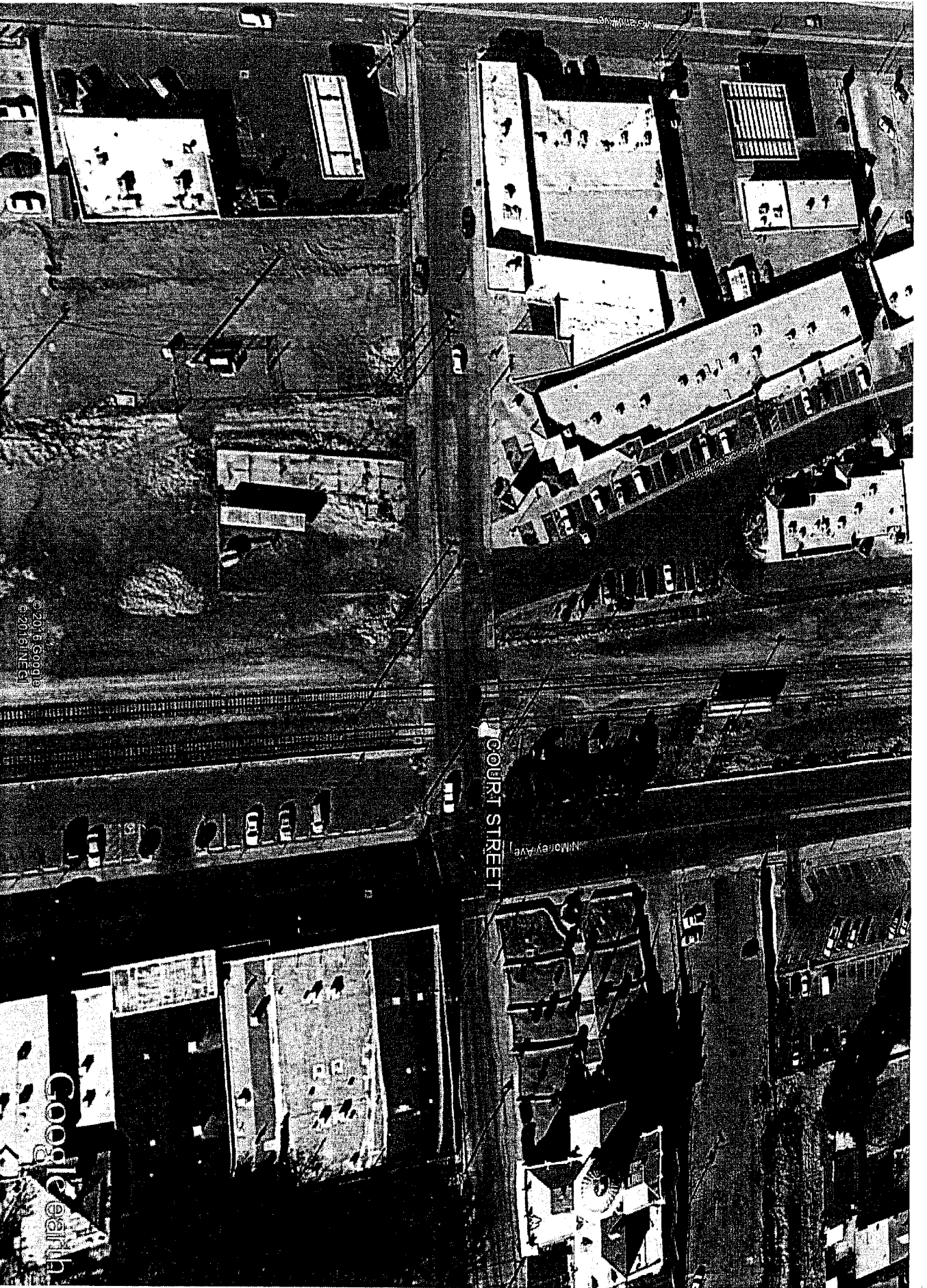
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